

**MINUTES OF THE REGULAR MEETING
OF THE PLANNING BOARD
HELD IN THE TRUSTEES' ROOM, VILLAGE HALL
ON WEDNESDAY, MAY 7, 1997**

Members

Present: Patrick J. Gilmartin, Chairman
Robert Buford
William Hoffman
Peter Lilienfield
Allen Morris

Also Present: Joseph Elliot, Ad Hoc Planning Board
Member

Eugene Hughey, Building Inspector
Florence Costello, Planning Board Clerk
Jan Blaire, E.C.B. Member
Joseph S. Jacoby, J&L Reporting Service,
for Westwood
Development Associates
Applicants and other persons mentioned in
these Minutes
Members of the Public.

IPB Matters

Considered: 94-03 -- Westwood Development
Associates, Inc.

Sht. 10,10C,11,Lots
25,25K,25J2,25K2,25A,26A

Subdivision 96-30 -- Renato Rancic -- Lot #3, Dedyo

Sht. 13B, Lot 3 of P9B
96-36 -- O'Hara/Hickey

Sht. 15, P121,P121F

97-08 -- Irvington Associates

Sht. 12B, Lot #30

97-09 -- Reginald & Marianne Marra

Sht. 13B, P-47

97-10 -- Frank & Ruth Nicodemus

Sht. 11, P-25K

The Chairman called the meeting to order at 8:00 p.m.

IPB Matter #97-09: **Application of Reginald & Marianne Marra for**
Site Development Plan Approval for
property at
19 Lewis Road.

Mr. Marra appeared personally for the application. Applicant paid the required application fee and provided evidence of mailing of required Notice to Affected Property Owners. Applicant proposes to add a one car stall, 12' x 23', to the existing two car garage (approximately 2,208 cubic feet), and home addition.

The Chairman, with the Board's concurrence, stated that the application would be treated as a Request for Waiver of Site Development Plan Approval. There were no comments from the public. The Board then determined that the application is for a proposed action which is a Type II action under SEQRA.

After discussion, on motion duly made, seconded and unanimously approved, the Board then adopted the following Resolution:

WHEREAS, the Planning Board has determined in accordance with Section 243-71 of the Village Code that the proposed construction meets conditions which permit Site Development Plan Approval to be waived in that (1) special conditions peculiar to the site exist to make submission of information normally required as part of an application for Site Development Plan Approval inappropriate or unnecessary, including the facts that the proposed construction does not violate existing zoning, will not affect any environmental features or resources requiring protection, and will not require major site disturbance or removal of any significant trees, (2) that in these circumstances to require strict compliance with the requirements for Site Development Plan Approval may cause extraordinary or unnecessary hardship; and (3) that the waiver of requirements for Site Development Plan Approval will not have detrimental effects on the public health, safety or general welfare,

or have the effect of nullifying the intent and purpose of Site Development Plan submission, the Official Map or Comprehensive Land Use Plan, or Zoning Ordinance of the Village of Irvington, or of any Local Law adopting or amending any of said Map, Plan or Ordinance, **NOW, THEREFORE,** the Planning Board hereby waives all requirements for Site Development Plan approval for this Application.

IPB Matter #96-36: **Application of Walter T. O'Hara & Katherine O'Hara**
 Hickey for Final Subdivision Approval
for property at
 One Hudson Road East.

Gerald D. Reilly, Esq., appeared for the Applicant and furnished evidence of mailing of required Notice to Affected Property Owners of the public hearing scheduled for this meeting for final approval of a subdivision as shown on "Subdivision Map Prepared for Walter O'Hara, Jr. and Katherine O'Hara Hickey, located at One Hudson Road East, dated January 22, 1997, revised May 7, 1997".

The Chairman opened the public hearing. There were no comments from the public. The Board closed the public hearing. Upon motion duly made, seconded and unanimously approved, the Board adopted a Resolution granting final approval to this subdivision. A copy of said Resolution is annexed to the Minutes and made a part hereof. The Chairman advised the Applicant's attorney that he would confirm with Village Counsel and advise him whether the amount of fee to be paid in lieu of dedication of open space or park land is based on the amount in force at the time the subdivision process began or on the amount currently in force. Village Counsel had rendered an opinion on this point on a prior case. The Board signed the amended Resolution to aid Health Department approval. Mr. Reilly will provide a final document for Board signatures.

IPB Matter #97-10: **Application of Frank & Ruth**
Nicodemus for Site
 Capacity Determination for property at
200 Peter
 Bont Road.

IPB Matter #97-08: Application of Irvington
Associates, L.L.C., for Final Site
Development Plan Approval for Lot #30, Legend
Hollow.

Chairman opened the public hearing. The Board said that based on the plans submitted it had concerns with drainage, driveway length, and building footprint. Mr. Ryan indicated a revised site plan was sent to Mr. Mastromonaco. A site walk was scheduled for May 18, 1997 at 3:00 p.m. The Board adjourned the public hearing to its next meeting. The Board also asked the Applicant to re-check and confirm that all affected property owners had received notice of public hearing and to send a notice of the adjourned hearing to any who may not have.

Irvington Associates submitted Site Development Plan Approval Applications for Lots #21, Lot #57 and Lot #59 for review and public hearing at the June 4, 1997 Planning Board meeting.

IPB Matter #96-30: **Application of Renato Rancic for**
Site Development **Plan Approval for Lot #3, Dedyo**
Subdivision.

James Ryan, R.L.A., of John Meyer Consulting, appeared for the Applicant and asked to make a presentation to educate the Board as to the progress of site plan process. Discussion centered on drainage improvements and the impact on neighbors

IPB Matter #94-03: **Application of Westwood**
Development Associates,
 Inc., for Limited Site Development
Plan Approval for
 property at Broadway, Riverview Road
and Mountain
 Road.

Charles Pateman appeared on behalf of the Application. Several issues were discussed: 1) The Chairman read his letter to the School Board dated April 23, 1997, requesting the School Board's position on the location of Applicant's easement of access over high school property and the Applicant's right to connect to utilities on the high school property. 2) Mr. Pateman is sending the Board a letter confirming elimination of the four proposed accessory units and their planned alternatives. 3) Mr. Leitzes, representing the East Irvington Association, asked if three entry roads were still considered. The Chairman responded "All possibilities are on the table". 4) Joel Sachs, Esq., representing Fieldpoint, asked for clarification on the proposed alternative to the proposed four accessory units "You will be advised when we know" responded the Chairman. 5) Mr. Tishelman, neighbor, said he felt his property was not being addressed in discussions. 6) Alayne Katz, neighbor, asked if the property swap between Village and Applicant had yet taken place and the Chairman told her it had not. 7) Mr. Abrams, East Irvington resident, repeated Mr. Leitzes concern about traffic on Mountain Road and three roads into Westwood.

A complete transcript of the proceeding was prepared and is incorporated by reference.

The Board then considered the following administrative matters:

- Minutes of the Planning Board held on March 12, 1997 and April 9, 1997, previously distributed, with changes by the Chairman, were on motion duly made and seconded, approved.
- Two letters (April 10, 1997 and April 18, 1997) regarding the renewal of the Abbott House special permit, were received from Mr. David Kaplan.
- A revised form for use in applying for Site Development Plan Approval was approved and will be sent to the Village Board for approval.
- The next regular meeting of the Planning Board was scheduled for June 4, 1997.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Allen Morris, Secretary